

Before the
COPYRIGHT ROYALTY JUDGES
Washington, DC

Received
SEP 04 2012
Copyright Royalty Board

In the Matter of

Distribution of the
2010 Satellite Royalty Funds

)
)
) Docket No. 2012-5 CRB SD 2010
)
)

COMMENTS OF SESAC, INC. ON THE EXISTENCE OF CONTROVERSIES

The Comments of the Phase I Parties filed in the above referenced matter on September 4, 2012, in support of the Motion of the Phase I Claimants for Partial Distribution (filed June 20, 2012), state that a Phase I controversy exists among Phase I Parties as to the distribution of those royalties. Pursuant to the Copyright Royalty Judges' July 30, 2012 notice (published at 77 Fed. Reg. 46,526 (August 3, 2012)), SESAC, Inc. ("SESAC") submits these supplemental comments to report on the status of Phase II controversies in the music category among the Music Claimants¹ concerning the 2010 satellite royalty funds.

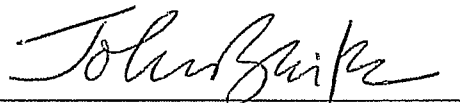
Although SESAC is informed that ASCAP and BMI have reached an agreement between themselves regarding their respective Phase II claims in the music category, a Phase II

¹ The Music Claimants are SESAC, the American Society of Composers, Authors and Publishers ("ASCAP"), and Broadcast Music, Inc. ("BMI"). Together, they represent hundreds of thousands of composers, songwriter, and music publisher members and affiliates with combined repertoires of millions of copyrighted musical works. SESAC, ASCAP and BMI license the public performance rights granted to their respective members and affiliates as authors and copyright owners under Section 106(4) of the Copyright Act (17 U.S.C. §106(4)). The Music Claimants are also affiliated with nearly ninety foreign performing rights societies and license the repertoires of those societies in the United States.

controversy currently exists between those two Music Claimants and SESAC.

Respectfully submitted,

SESAC, INC.

A handwritten signature in cursive script, appearing to read "John C. Beiter", is written over a horizontal line.

John C. Beiter

TN Bar No. 12564

SHACKELFORD, ZUMWALT & HAYES, LLP

1014 16th Avenue South

Nashville, TN 37212

Phone: (615) 256-7200

Fax: (615) 256-7106

jbeiter@shacklaw.net

Dated: September 4, 2012

Keys, LaKeshia

From: John C. Beiter [jbeiter@shacklaw.net]
Sent: Tuesday, September 04, 2012 5:38 PM
To: crb
Cc: pcollins@sesac.com; Deborah Houghton (DHoughton@SESAC.com)
Subject: Comments of SESAC, Inc. (Docket No. 2012-5 CRB SD 2010)
Attachments: SESAC SATELLITE CONTROVERSY PLEADING.pdf

Please see attached.

John C. Beiter
Shackelford, Zumwalt & Hayes
1014 16th Avenue South
Nashville, TN 37212
Phone: 615.256.7200
Fax: 615.256.7106
Email: jbeiter@shacklaw.net

www.shacklaw.net

CONFIDENTIALITY NOTICE: This e-mail transmission, and any documents, files or previous e-mail messages attached to it may contain confidential information that is legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender. Please destroy the original transmission and its attachments without reading or saving in any manner. Thank you PLLC SHACKELFORD, ZUMWALT and HAYES

Please consider the environment before printing this email and/or any attachments.